

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-CV-22509-JEM

LITTLE RIVER TRANSPORT, LLC,

Plaintiff,

v.

OINK OINK, LLC,

Defendant.

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EXPEDITED MOTION TO SEAL UNREDACTED EXHIBITS
AND TO SUBSTITUTE UNREDACTED EXHIBITS

Plaintiff, Little River Transport, LLC (“Little River”), by and through undersigned counsel, and pursuant to Fed. R. Civ. P. Rule 5.2 and CM/ECF Administrative Procedure Section 6A, requests this Court for an Order instructing the Clerk of the Court to seal unredacted Exhibits 1-6 attached to Plaintiff’s filed Complaint and to maintain such unredacted Exhibits under seal and to substitute the properly redacted Exhibits 1-6 attached hereto, which comply with the privacy protections for filings set for in the applicable Federal Rules of Civil Procedure and CM/ECF Administrative Procedures. In support of this motion, Plaintiff states as follows:

1. Undersigned counsel filed Plaintiff’s Complaint and inadvertently attached unredacted Exhibits which contain certain personal and sensitive information protected by the privacy protections recognized by Fed. R. Civ. P., Rule 5.2(a) and CM/ECF Administrative Procedure, Section 6A.

2. Plaintiff wishes to correct the inadvertent disclosure of private protected information by sealing the unredacted documents and substituting redacted exhibits which comport with the mandatory redaction requirements of Fed. R. Civ. P. 5.2 and CM/ECF Administrative

Procedure Section 6A.

3. The requested relief is intended to protect privacy of individuals, including the privacy of the Defendant and its related executives and principals and is authorized and required by Fed. R. Civ. P. Rule 5.2 and CM/ECF Administrative Procedure Section 6A.

MEMORANDUM OF LAW

4. Fed. R. Civ. P., Rule 5.2 (a) provides in relevant part:

(a) REDACTED FILINGS. Unless the court orders otherwise, in an electronic or paper filing with the court that contains an individual's social-security number, taxpayer-identification number, or birth date, the name of an individual known to be a minor, or a financial-account number, a party or nonparty making the filing may include only:

- (1) the last four digits of the social-security number and taxpayer-identification number;
- (2) the year of the individual's birth;
- (3) the minor's initials; and
- (4) the last four digits of the financial-account number.

5. CM/ECF Administrative Procedure Section 6A provides in relevant part:

Filers must exclude or redact personal information from documents filed with the Court as required by Federal Rule of Criminal Procedure 49.1 and Federal Rule of Civil Procedure 5.2. Unless specifically exempted by the rules or by court order, the personal data identifiers noted below must be redacted to show only the following: Social Security number: last four digits only; taxpayer ID number: last four digits only; financial account numbers: last four digits only; date of birth: year only; minor's name: initials only; home address: city and state only (for criminal cases only).

6. Plaintiff's filed Complaint attaches unredacted Exhibits 1-6 which omit the required privacy redactions required by the Local Rules.¹ Plaintiff proposes to cure this error by

¹ Plaintiff also has redacted all but the last four digits of the unredacted Employer Identification Number from the Exhibits, which although not expressly referenced in Fed. R. Civ. P., Rule 5.2 (a) is in the nature of "taxpayer identification number" referenced in the Rule.

petitioning this Court to order the Clerk of the Court to maintain the unredacted Exhibits under seal and substitute the redacted Exhibits 1-6, attached.

7. Plaintiff's motion is brought to comply with Fed. R. Civ. P., Rule 5.2 (a) and CM/ECF Administrative Procedure Section 6A.

8. Considering the mandatory nature of the applicable standards, the requested relief is requested on an expedited basis to cure the inadvertent failure to redact required mandatory private information.

WHEREFORE, Plaintiff, requests this Court to enter the enclosed proposed form of order instructing the Clerk of the Court to seal the unredacted Exhibits 1 through 6 attached to Plaintiff's Complaint [DE 1] and to substitute the attached redacted Exhibits 1 through 6 for all purposes going forward.

Dated this 9th day of August, 2022.

Respectfully Submitted,

VM DIAZ & PARTNERS, LLC

Attorneys for Plaintiff Little River Transport, LLC

1000 Fifth Street, Suite 400

Miami Beach, Florida 33139

T: (305) 704-3200

F: (305) 538-4928

By: Victor M. Diaz, Jr. Esq.

Florida Bar No. 503800

victor@diazpartners.com